

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: SOCIAL SERVICES

DATE: OCTOBER 26, 2007

Committee Members Present:

Supervisors Tessier
O'Connor
Bentley
Kenny
F. Thomas
Mason

Others Present:

Representing Department of Social Services:

Robert Phelps, Commissioner
Michael Jabaut, Director, Administrative Svces.
Douglas Herschleb, Director of Services
Hal Payne, Commissioner, Administrative & Fiscal
Services

Joan Sady, Clerk, Board of Supervisors

Katy Goodman, Secretary to the Clerk

Committee Member Absent:

Supervisor Sheehan

Mr. Tessier called the Social Services Committee meeting to order at 10:47 a.m.

Motion was made by Mr. Mason, seconded by Mr. O'Connor and carried unanimously to approve the minutes of the previous meeting, subject to correction by the Clerk.

Privilege of the floor was extended to Robert Phelps, Commissioner of the Department of Social Services, who distributed copies of his Agenda packet for the meeting. A copy of the packet is on file with the minutes.

Pursuant to Agenda Item No. 1, Mr. Phelps requested approval to authorize a contract with Berkshire Farm Center and Services for Youth for the operation of the Warren County Detention Home. He noted the item was also a Pending Item from the Clerk of the Board of Supervisors' Office. Mr. Phelps advised that Berkshire Farm Center and Services for Youth was the current operator of the Home and they were the only provider that had responded to the Department's Request for Proposals (RFP) for a new contract. He noted the contract term was January 1, 2008 through December 31, 2008 and that the contract included provisions to be renewed annually for four additional years. In reply to Mr. Mason's query on the cost of the contract, Mr. Phelps apprised the firm had requested a 2.5 percent increase for the new contract.

Motion was made by Mr. Mason, seconded by Mr. Kenny and carried unanimously to approve the aforementioned contract, as presented, and to authorize the necessary resolution for the next board meeting. Copies of a resolution request form and prior resolutions are on file with the minutes.

Next, Mr. Phelps announced that the Department had received a \$35,000 State grant for the SafetyNet Assistance Program (SNAP) (Agenda Item No. 2). He explained the Department had continuously received these funds and they were used for the contract with CWI (Community Work and Independence) to operate the Program which provided assistance to clients with

serious mental health issues and/or disabilities to secure employment, Social Security Disability or SSI benefits. However, he stated, they had to submit a competitive application for the 2008 grant and they were one of only 17 districts in the State that were selected to receive the grant. Mr. Phelps apprised the County's costs for the Program were 50 percent and the State grant was 50 percent. He noted the grant was included in the Department's budget in anticipation of its receipt. Mr. Phelps explained there was a resolution in place that authorized him to enter into the contract with CWI and that a Board of Supervisors' resolution would not be needed.

Pursuant to Agenda Item No. 3, Mr. Phelps referred the Committee members to the Overtime Report that was included in the Agenda packet. He pointed out the average overtime for the payroll periods covered in the Report was 87.8 hours and that was in line with the average number of hours year-to-date of 88.6 hours for two payroll periods.

Mr. Phelps stated, obviously, the overtime had continued because it was associated with the Child Protective Services (CPS) Program which required after-hours work. In addition, he noted, they provided foster parent and adoption training after work hours. Mr. Phelps added there was also some overtime because of staff shortages due to medical leaves.

Concluding the Agenda items (No. 4), Mr. Phelps stated he had some travel requests for the Committee members' approval and for Mr. Tessier's signature. He stated the requests were for staff to travel and participate in various training sessions relative to their work.

The requests were as follows:

- 1) For Peter Bombard to attend Institute for Temporary Assistance at Comfort Inn & Suites, Castleton, NY from December 3, 2007 through December 7, 2007 and December 17, 2007 through December 21, 2007 with meal costs at the GSA per diem rate and with transportation to be at the discretion of the Commissioner.
- 2) For Cynthia Cameron to attend Welfare to Work Core Training Program at Comfort Inn & Suites, Castleton, NY from November 27, 2007 through November 29, 2007 and December 11, 2007 through December 13, 2007, with meal costs at the GSA per diem rate and with transportation to be at the discretion of the Commissioner.
- 3) For Cynthia Cameron to attend Welfare to Work Caseload Management System User Training at Office of Children and Family Services, 52 Washington Street, Rensselaer, NY. Accommodations at Fairfield Inn, Troy Road, Rensselaer, NY with meal costs at GSA per diem rate of \$11/day for lunch only and with transportation to be at the discretion of the Commissioner.
- 4) For Karen Whitted, Jamie Brochu, Lisa Zulauf, Kelly Barker, Tina Cameron, Debbie Bombard and Rebecca Hill to attend Effective Agency Representation at Fair Hearings at Comfort Inn & Suites, Castleton, NY from November 7, 2007 through November 8, 2007

with all meal costs paid by the State and with transportation to be at the discretion of the Commissioner.

Motion was made by Mr. Kenny, seconded by Mr. Bentley and carried unanimously to approve the travel requests, as presented. Copies of Authorization to Attend Meeting or Convention request forms are on file with the minutes.

Mr. Phelps stated there had been some discussion about relocating some of the Department's staff. Hal Payne, Commissioner of Administrative & Fiscal Services, concurred. He advised that the possibility of moving the Medicaid Unit and the CASA Unit to the CNA Building was being considered. Mr. Payne stated Chairman William Thomas, Nicholas Caimano, Budget Officer, and he had discussed the proposal with Bruce Levinsky, the owner of the Building. He explained the two Units were connected with the Point of Entry (POE) Program and if they were located to the CNA Building all the POE participants would be on one floor. Mr. Payne apprised the relocation would be at no cost to the County because the Medicaid costs would be covered 100 percent. He stated the move would free up space in both the Social Services and the Health Services Departments, as well as provide a clean environment for the three employees who were out of work on Workers' Compensation which was costing the County \$1,200 a week.

Mr. Herschleb entered the meeting at 10:55 a.m.

Discussion ensued; and Mr. Phelps elaborated on the benefits of the proposed relocation to the two Units and the Departments. Relative to the environmental safety issue, he stated he understood the (present) building was clean and the issues (of employees' illnesses) had been addressed. Mr. Phelps commented he thought the move would be a good interim step although a new building would still be needed. He advised if the changes were to be made it would take some time because such matters as floor plans, space requirements for the staff and technology issues would have to be worked out. Mr. Kenny expressed his support of the proposed relocations.

Mr. Phelps advised he had written to the State to make sure that the Medicaid reimbursement would still be received if the Unit was moved. He distributed copies of his letter to Virginia Scala, Chief Accountant, of the Bureau of Financial Services, Office of Temporary and Disability Assistance to the Committee members. A copy of the letter is on file with the minutes.

Dialogue ensued between Mr. Tessier and Mr. Payne on the lease for the space. Mr. Payne advised that Mr. Levinsky would like a three-year lease with a six month notice of termination clause. He stated they thought there would be enough space for the two Units on the same floor where the County's Office for the Aging was currently located. Mr. Payne stated the amount of space needed would be based on the 200 square feet/employee formula. Mr. Tessier voiced his support for the proposal. Mr. Phelps stated this was an informational item for the Committee members. However, he said, if the Committee members favored the proposal, he would begin the process to plan for the changes. Mr. Payne stated the main issue was the status of the

Medicaid reimbursement and once that was known they would move quickly to make the changes.

Discussion ensued, and in response to the Committee members' questions on the move, Mr. Phelps stated he would estimate that it could be completed by February, 2008. He noted 26 employees would be involved and that the primary office of Michael Jabaut, Director of Administrative Services, would be located in the Building to supervise the Programs there, and he would also work from the current building. Mr. Phelps confirmed there was security in the CNA Building. However, he noted, there were not magnetometers. He stated that security was an issue that would need to be addressed. However, Mr. Phelps added, Medicaid clients did not typically require that degree of security.

Mr. F. Thomas, (Chairman of the Legislative Committee), reported he had been provided with a copy of a letter from (State) Assembly Minority Leader James Tedisco which concerned a proposed Assembly bill that would reimburse Counties for their purchases of Medicaid fraud investigation (data mining) software. He asked if the Department of Social Services already had such software. Mr. Phelps replied that the State had the capabilities to do data mining. Mr. F. Thomas queried if the County should support the legislation. Mr. Phelps explained that part of Medicaid fraud concerned recipients and part concerned provider fraud and the software program was being used to target provider fraud which was the State's domain. He noted he did not know whether the County would want to get involved with that process as they had enough work to do relative to recipient fraud. Mr. Phelps advised that with the Medicaid cap the County would not receive any revenues or savings for the fraud that would be found.

Mr. F. Thomas concurred with Mr. Tessier that Assemblyman Tedisco was looking for a letter of support for the bill. Mr. Phelps suggested it could be supported if local discretion was allowed on whether or not to opt out of the process. He added he would not want the process to be mandated. Mr. Tessier noted if the request was for the County's support of the bill it should probably be forwarded to the Legislative Committee. Mr. F. Thomas stated it was Assembly Bill A.5333. Mr. Phelps advised he would look at what the bill proposed and he believed it would provide reimbursement to Districts that opted into it. He stated if that were the case he would support the legislation.

Mr. Phelps advised an Appellate Court decision had been made concerning public assistance benefits that would affect the entire State. He explained the case was Doe vs. Doar and it challenged how public assistance benefits were calculated for mixed households wherein a parent or a child also received SSI benefits. Mr. Phelps advised because the decision went against the State it went against all the Counties as well. He apprised they would need to rebudget all of those cases from July 2004 forward and to make retroactive payments. Mr. Phelps stated, for example, the current grant for a household of three with one SSI recipient was pro-rated as two-thirds of a household with three, and under the new formula the grant would be for a household of two which was a difference of \$65 per month for a small household. He apprised the cost for that size household for a period of 38 months would be \$2,700 and it could be much higher for a bigger case. Mr. Phelps stated they did not yet know what the fiscal impact would be and they

were looking at their active cases. He noted they had to rebudget all active cases either at the next contact or the next recertification. Mr. Phelps concluded the impact would probably be small this year and it would increase next year.

Mr. Phelps reported closed cases were also included in the decision and the State would be sending out letters to those recipients to advise them they could apply for the retroactive payments. Therefore, he noted, they anticipated the workload would be impacted by the flood of applicants. In response to the Committee members' concerns about the decision, Mr. Phelps stated it could not be appealed and they had to carry it out. He confirmed for Mr. Tessier that most of the cases were in the TANF (Temporary Assistance to Needy Families) Program and there would be 75 percent Federal and State reimbursement of the costs. However, he said, the funds still had to be expended before the reimbursement would be made. Mr. Phelps stated they were trying to estimate what the fiscal impact would be and he hoped to be able to provide some information on that for the next Committee meeting. He noted he anticipated that overtime would be needed to do the additional work.

There being no further business, on motion by Mr. Kenny and seconded by Mr. Mason, Mr. Tessier adjourned the meeting at 11:10 a.m.

Respectfully submitted,

Katy Goodman, Secretary to the Clerk